IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

LAWRENCE FRANK WALKER,)	
Plaintiff,)	
vs.)	2:07-CV-2339-RDP-PWG
OFFICERS EDDIE WASHINGTON;)	
STEVE YOUNG,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on March 6, 2008, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). Plaintiff filed objections to the report and recommendation on March 15, 2008.

Plaintiff repeats the allegations of his original complaint in his attempt to dispute the conclusion that Defendants were not deliberately indifferent to his need for protection from another inmate. By Plaintiff's own admission, his assailant was able to slip out of his handcuffs and attack him. The Eleventh Circuit Court of Appeals has said that, "[T]he known risk of injury must be a 'strong likelihood, rather than a mere possibility' before a [defendant's] failure to act can constitute deliberate indifference." *Brown v. Hughes*, 894 F.2d 1533, 1537 (11th Cir. 1990). It was reasonable for the officers to think that Plaintiff was safe from another inmate who was handcuffed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is

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ACCEPTED . Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b)).
A Final Judgment will be entered	

DONE and **ORDERED** this _____ day of March, 2008.

R. DAVID PROCTOR

UNITED STATES DISTRICT JUDGE